REMARKS

I. Claim Status

By this response, Applicants have amended claim 1 to recite "wherein the one or more pH active groups is linked to the substrate via at least one group chosen from one or more linker molecules, one or more layers of the separating coating, or a combination thereof, and via at least one quinone." Exemplary support for the amendments can be found throughout the as-filed specification, for example, at page 5, lines 24-31, and Examples 1 and 2. Accordingly, no new matter has been added by those amendments.

II. Rejection under 35 U.S.C. § 103 (a)

A. Wiktorowicz in view of Zanzucchi, Simpson, and Cahill

The Office maintains the rejection of claim 1 under 35 U.S.C. § 103 (a) over U.S. Patent No. 6,214,191 to Wiktorowicz ("Wiktorowicz") in view of U.S. Patent No. 5,755,942 to Zannzucchi et al. ("Zannzucchi"), U.S. Patent No. 6,143,152 to Simpson et al. ("Simpson"), and European Patent Application Publication No. EP 1 044 716 to Cahill et al. ("Cahill") for the reasons of record. *See* Office Action at page 2. Applicants respectfully disagree with and traverse the rejection for the reasons of record and for the following additional reasons.

Applicants respectfully submit that, "[i]n determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious." M.P.E.P. § 2141.02(I) (internal citations omitted; emphasis in original). Moreover, all claim limitations must be considered. *See* M.P.E.P. § 2143.03.

Here, as discussed in the Response submitted November 23, 2009, Applicants submit that Cahill does not explicitly teach "a separating coating with a thickness of between 0.01 and 15 μm carried on a substrate." Moreover, Cahill or Wiktorowicz fails to teach that "the one or more pH active groups is linked to the substrate via at least one group chosen from one or more linker molecules, one or more layers of the separating coating, or a combination thereof, and via at least one quinone," as recited in amended claim 1.

Zanzucchi or Simpson does not remedy the many deficiencies of Wiktorowicz and Cahill. Accordingly, the presently claimed invention is not obvious in view of Wikorowicz, Cahill, Zanzucchi, and Simpson. Applicants respectfully request the rejection be withdrawn.

B. Liu in view of Zanzucchi, Simpson, and Cahill

The Office maintains the rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,676,819 to Liu et al. ("Liu"), Zanzucchi, Simpson, and Cahill for the reasons of record. *See* Office Action at 4. Applicants respectfully traverse the rejection for the reasons of record and for the following reasons.

Liu is directed to separation systems involving capillary electrophoresis. *See* Liu col. 1, line 35-44. However, Liu does not teach a coating with a thickness of between 0.01 and 15 μm as recited in claim 1. To remedy this deficiency, the Office relies on Cahill. Nevertheless, as discussed in the Response filed November 23, 2009, Cahill does not explicitly teach "a separating coating with a thickness of between 0.01 and 15 μm." Moreover, the cited references, whether alone or in combination, do not teach or suggest that "the one or more pH active groups is linked to the substrate via at least one

group chosen from one or more linker molecules, one or more layers of the separating coating, or a combination thereof, and via at least one quinine," as recited in amended claim 1. Accordingly, the combination of the cited references could not have rendered the presently claimed device obvious. Applicants respectfully request the rejection be withdrawn.

C. Lee in view of Zanzucchi, Simpson, and Cahill

The Office rejects claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,974,526 to Lee et al. ("Lee"), Zanzucchi, Simpson, and Cahill for the reasons of record. *See* Office Action at 4. Applicants respectfully disagree and traverse the rejection for the reasons of record and for the reason that none of the cited references teaches or suggests "the one or more pH active groups is linked to the substrate via at least one group chosen from one or more linker molecules, one or more layers of the separating coating, or a combination thereof, and via at least one quinone," as recited in amended claim 1. Accordingly, the Office fails to establish a *prima facie* case of obviousness. Withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing remarks, Applicants submit that the claimed invention is not obvious in view of the prior art references cited by the Office. Applicants therefore respectfully request reconsideration of this application and the timely allowance of the pending claim.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____
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